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GRANTS AND WORKS – COMMUNITY FACILITIES

Strategic Outcome:	IN. Our Infrastructure
Policy type	Statutory
Date of Adoption:	19 February 2025 Minute Number: 041/25
Date for Review:	3 August 2028
Responsible Officer:	Director Community and Development
Document Control:	Replaces the Capital Works on Community Facilities Policy adopted 17 May 2017
Delivery Program Link:	IN.4 Community facilities and planned and maintained to meet the needs of our growing population and promote maximum use

1. POLICY STATEMENT

The Council has delegated care, control and management of many of its community facilities (such as recreation reserves, public halls, swimming pools and the like) to volunteer committees of management established under s355 of the *Local Government Act* 1993. Care and control under the Crown Lands Management Act 2016 is designed to allow for local control of those facilities to meet local needs.

Council is cognisant that, the nature of volunteer committees may add complexity to the delivery of larger, capital-type projects and expose the Council to increased risks, including risks to the safety of volunteers, workers and the public, financial risks and risks to reputation.

This policy seeks to mitigate these risks by ensuring Council's direct responsible for the management of capital projects as well as larger maintenance projects.

Nothing in this policy should be seen as detracting from the primary responsibility of the various committees of management to undertake the routine operation and maintenance of their respective facility.

2. PURPOSE

The purpose of this policy is to ensure:

- projects are properly managed and completed,
- risks involved in these projects are identified and managed,



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- all parties understand their roles and responsibilities
- user bodies do not by-pass committees of management and deal directly with the council,
- funding agreements are honoured and acquitted in line with any legal requirements and
- assets created are appropriately recorded and recognised.

This policy places the responsibility on the council to effectively manage and deliver identified projects and to address any failures encountered – in line with its statutory powers and budgeted resources.

3. SCOPE

This policy applies to all volunteer committees of the council responsible for the care, control and management of community facilities vested in the council and council staff.

4. OBJECTIVE

This policy is developed to assist the council with the delivery program objective IN.4:

IN.4 Community facilities and planned and maintained to meet the needs of our growing population and promote maximum use

5. DEFINITIONS

Committee of management: A committee established under s355 of the *Local Government Act 1993* to exercise a function of the council. In this case, the volunteer committees of the council delegated care, control and management of council's community facilities

Advisory Committee: A group that makes use of a council-provided community facility.

User body: A committee established by the council to provide advice and guidance to the council with the delivery of the project, usually made of representatives of user bodies

Capital project: A project that delivers a new or improved facility, as opposed to restoring an existing facility to its original condition.

6. POLICY IMPLEMENTATION

6.1 Approval

Projects may be identified by user bodies, committees of management or the council. Projects identified by user bodies must be referred to the committee of management for support and approval.



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Committees of management must submit proposed projects to the Council in writing, along with supporting documentation. Projects raised initially verbally at council meetings, or discussions with councillors outside of the formal process will not be considered until a formal project proposal is submitted.

Where the council approves the submitted project proposal to be allocated budget, Council staff will negotiate with the committee of management in relation to the project, not individual user bodies.

6.2 Funding

Once agreement is in place regarding the project, individual clubs can work with council, to prepare and submit funding applications. Council must be informed before and approve the submission of any grant application. Grants acquired from other levels of government will be managed by the council only.

Committees of management will be required to provide all information required by the funding body to appropriately report on and acquit the grant as per the requirements set out in the relevant grant agreement. Committees of management will therefore be required to provide council staff with any photographs, receipts, or any other information required to appropriately acquit the grant.

Committees of management will also abide by the grant funding agreement regarding requirements for any parliamentary representative (Federal or State) to open the facility etc. Council will make all arrangements in this regard once the project is finalised.

If council grant funds are requested, this will be via the committee of management requests for grant funding and will be assessed as per the council's Requests for Donations and Financial Assistance Policy.

Any grant or loan funds provided by the council will be the responsibility of the Committee of management and any reports on progress or acquittal of project funds will also be the responsibility of the committee of management. If a user body is to meet a debt to the council for project loan funds, repayments will be the responsibility of the committee of management.

Committees of management are encouraged to submit proposed projects through the council's annual operational plan process. Committees must use the council's project proposal application documentation. The proposal must be submitted before 31 December each year, to be considered in the following financial year.

Before starting work on any project, the council will require the committee of management and other partner funders to provide evidence of sufficient funds to allow them to meet their funding agreement.

6.3 Risk management

In accordance with council's Risk Management Policy and Framework, a risk management plan will be developed by council, in consultation with the committee of management. The purpose of the risk management plan is to ensure responsible management of the project is achieved.



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The risk management plan will outline how risks will be identified, assessed, treated and managed throughout the life of the project. Attempts will be made to eliminate risks, however where this is not possible, they will be minimised as far as is reasonably practicable.

Where risks cannot be eliminated, they will be included in the risk register component of the risk management plan with timeframes and responsibilities for treatments assigned.

6.4 Project management

The council will manage the required works as project manager and will make all payments to contractors and suppliers. The council will take on this role whether or not council funds are being used.

Depending on the size and nature of the project, the council may appoint an advisory committee. The advisory committee will have no direct decision-making powers; its role is to provide advice and guidance to the council and to act as the liaison between the council and the user bodies.

The council will work with user bodies and committees of management to manage any development applications or construction certificates that may be required for the project.

Where the council is making a financial contribution to the project, the council may charge the cost of any approvals etc. against the project budget. Otherwise, these costs will be assessed under the council's Requests for Donations and Financial Assistance Policy

At its discretion, the council may include a charge for project management in the overall project budget – depending on the size and nature of the project. Grant applications should include an allowance for project management expenses.

The council will directly manage any tender or quotation process required, to comply with legislation and the council's Procurement and Disposal Policy

6.5 Application or exemptions

Projects undertaken at council venues vary in size and complexity and there is no hard and fast rule to determine what is a capital project and/or a larger maintenance project.

As a guide, a project cost of \$10,000 may be used as a guideline but committees should contact the council before starting any project/works. Regardless of the dollar amount, projects involving construction work as defined above will always be considered a capital project for the purposes of the policy.

Because of the wide range of projects completed on lands controlled by committees of management, the council may consider exceptions to this policy. In this case, contact should be made with the council to clarify and resolve any concerns without necessarily excluding a valuable project.



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7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- *Work Health and Safety Act 2011*
- Office of Local Government Capital Expenditure Guidelines

7.2 Council policies and guidelines

- Governance Policy
- Berrigan Shire Council Code of Conduct
- Berrigan Shire Council Risk Management Framework
- Berrigan Shire Council Guide to Operations for Volunteer Committees of Management
- Berrigan Shire 2040 (Community Strategic Plan)
- Delivery Program
- Risk Management Policy
- Fraud Control Policy
- Community Assistance Policy
- Procurement Policy
- Committee Guidelines
- Committee Terms of Reference

8. RECORDS MANAGEMENT

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:



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This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

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11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	May 2013	New Policy document	Director Corporate Services
1.1	17 May 2017	Minor review	Director Corporate Services
2.0	19 February 2025	Major revision	Director Community & Development

APPENDICES